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8 **IN THE UNITED STATES DISTRICT COURT**  
 9 **FOR THE DISTRICT OF NEVADA**

10  
 11 RES-NV CHLV, LLC, a Florida limited  
 12 liability company,

13 Plaintiff,

14 v.

15 HARRY H. SHULL, an individual,  
 16 Defendant.

Case No. 2:11-cv-00593-PMP-CWH

**ORDER GRANTING APPLICATION  
 FOR JUDGMENT DEBTOR  
 EXAMINATION OF HARRY H. SHULL**

**Date of Exam: June 28, 2016**

**Time of Exam: 10:00 a.m.**

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 18 This matter is before the Court on Plaintiff's sixth Ex Parte Application for Judgment  
 19 Debtor Examination filed April 14, 2016. Having been unable to timely serve the Court's prior  
 20 order authorizing a judgment debtor examination to occur on April 22, 2016, Plaintiff filed a sixth  
 21 application requesting a judgment debtor examination on June 28, 2016. The Court has reviewed  
 22 the application and finds there is good cause for the request.

23 Having secured a judgment in its favor for \$453,251.94, together with interest accruing at  
 24 the statutory rate from date of entry of judgment, Plaintiff requests an order requiring judgment  
 25 debtor Harry Shull ("Judgment Debtor") to (1) appear and be examined under oath regarding all  
 26 personal property and real property assets, (2) to bring any and all documents showing or  
 27 referring to his assets and liabilities or transfers of assets made within the last five (5) years, and  
 28

(3) to refrain from effectuating any transfer of or interference with any of his property that is not exempt from execution.

Federal Rule of Civil Procedure 69 provides that the procedure regarding “proceedings supplementary and in aid of judgment or execution must accord with the procedure of the state where the court is located.” Federal Rule of Civil Procedure 69(a)(1). Rule 69 further provides that “[i]n aid of judgment or execution, the judgment creditor or a successor in interest whose interest appears of record may obtain discovery from any person – including the judgment debtor – as provided in these rules or by the procedure of the state where the court is located.” Fed. R. Civ. P. 69(a)(2). The scope of post-judgment discovery is broad and the judgment-creditor is permitted to make a broad inquiry to discover any hidden or concealed assets of a judgment-debtor. *1<sup>st</sup> Technology, LLC v. Rational Enterprises, LTDA*, 2007 WL 5596692 \*4 (D. Nev.) (citation omitted). Rule 69 permits a judgment creditor to obtain post-judgment discovery pursuant to the procedures set forth in the Federal Rules of Civil Procedure or pursuant to state law. *Id.* Under Nevada law:

A judgment creditor, at any time after the judgment is entered, is entitled to an order from the court requiring the judgment debtor to appear and answer upon oath or affirmation concerning his or her property, before:

(a) The judge or a master appointed by the judge; or

(b) An attorney representing the judgment creditor,

at a time and place specified in the order. No judgment debtor may be required to appear outside the county in which the judgment debtor resides.

Nevada Revised Statutes (“NRS”) 21.270(1).

The Court agrees that this sixth requested judgment debtor examination is authorized under the aforementioned law. As before, the undersigned expresses no view regarding the several categories of documents Plaintiff requests that the Judgment Debtor bring to the examination.

Based on the foregoing and good cause appearing therefor,

  
UNITED STATES MAGISTRATE JUDGE